

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:17-cv-328-RJC-DSC

AMBROSE CLARK, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 FEDEX FREIGHT, INC., )  
 )  
 Defendant. )

**THIS MATTER** comes before the Court on Ambrose Clark's ("Plaintiff's") **pro**  
**se** Objection, (Doc. No. 78), to the Clerk's Taxation of Costs, (Doc. No. 77), upon  
FedEx Freight, Inc.'s ("Defendant's") Request for Entry of Bill of Costs, (Doc. No.  
76). For the reasons stated below, the Court will deny the Objection.

Pursuant to Title 28, United States Code, Section 1920, Federal Rule of Civil Procedure 54(d)(1), and Local Civil Rule 54.1, the prevailing party should be allowed to recover certain costs other than attorney's fees. The Clerk of Court may tax costs on 14 days' notice, and a party may request review of the Clerk's ruling within 7 days.

Here, Defendant timely requested costs for deposition transcripts, service of a subpoena, and a witness's appearance, (Doc. No. 76-1: Declaration at 1-2), which the Clerk rightly found were allowable and reasonable, (Doc. No. 77 at 1-2). The only legal argument raised by Plaintiff is a claim that the Court previously disallowed fees. (Doc. No. 78: Objection at 1). It is true that the Court declined to award

Defendant attorney's fees, (Doc. No. 66: Order at 14), in relation to its Motion to Strike, (Doc. No. 60), excess pages in Plaintiff's Amended Response, (Doc. No. 59), to Defendant's Motion for Summary Judgment, (Doc. No. 56). That ruling has no bearing on the taxation of costs other than attorney's fees which are clearly allowable under the applicable statute and rules. Accordingly, the Court adopts the Clerk's ruling as its own.

**IT IS, THEREFORE, ORDERED** that:

1. Plaintiff's Objection, (Doc. No. 78), is **DENIED**; and
2. the Clerk's Taxation of Costs, (Doc. No. 77), is **ADOPTED**.

Signed: December 30, 2021

  
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Robert J. Conrad, Jr.  
United States District Judge